

IN THE SENATE

SENATE BILL NO. 1070

BY AGRICULTURAL AFFAIRS COMMITTEE

AN ACT

RELATING TO BEEF CATTLE ANIMAL FEEDING OPERATIONS; AMENDING CHAPTER 49, TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 22-4909A, IDAHO CODE, TO PROVIDE FOR THE EFFECT OF FEDERAL ENVIRONMENTAL PROTECTION AGENCY ENFORCEMENT ACTIONS ON ADMINISTRATIVE OR CIVIL ENFORCEMENT ACTIONS INITIATED BY THE DIRECTOR OF THE DEPARTMENT OF AGRICULTURE AND TO PROVIDE FOR THE EFFECT OF FEDERAL ENVIRONMENTAL PROTECTION AGENCY ENFORCEMENT ACTIONS ON CERTAIN ORDERS ISSUED BY THE DIRECTOR.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 49, Title 22, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 22-4909A, Idaho Code, and to read as follows:

22-4909A. EFFECT OF FEDERAL ENVIRONMENTAL PROTECTION AGENCY ENFORCEMENT ACTION. In any case in which the United States environmental protection agency initiates an enforcement action regarding an alleged noncompliance at a beef cattle animal feeding operation, any pending administrative or civil enforcement action initiated by the director regarding the same alleged noncompliance shall be deemed void. If a compliance order addressing the alleged noncompliance has already been issued by the director, that order shall remain in full force and effect.